

**AMENDMENT To The I-90
MEMORANDUM AGREEMENT**

AUGUST, 2004

**Central Puget Sound Regional Transit Authority
City of Bellevue
City of Mercer Island
City of Seattle
King County
Washington State Transportation Commission**

August 2004
Amendment to 1976 Memorandum Agreement

WHEREAS, the Cities of Seattle, Mercer Island, and Bellevue; King County; by and through their respective governing bodies and the Washington State Transportation Commission (hereinafter "the Commission") desire to amend the existing Memorandum Agreement (the Agreement) signed by all parties in 1976 to reflect current and future conditions and demands along the Interstate 90 (I-90) corridor between Bellevue and Seattle crossing Lake Washington via Mercer Island (the "I-90 Corridor"), including increased travel growth, changes in travel patterns, and a reduction in transit reliability; and

WHEREAS, there is a desire among the parties and Sound Transit to add Sound Transit as the Regional Transit Authority with responsibility for High Capacity Transit as a signatory to this 2004 Amendment, but not to the underlying 1976 Agreement, given its role in the region generally and the I-90 Corridor specifically; and

WHEREAS, all parties recognize the I-90 facility as a key interstate corridor connecting the East and West Coasts, Eastern and Western Washington, and recognize its importance as a critical link between major urban centers in King County, and the only means of mobility to and from Mercer Island; and

WHEREAS, all parties acknowledge I-90 as a critical transportation link vital to the economy of the region and the state by providing for the movement of people and goods within the region; and

WHEREAS, all parties agree that the current configuration and operation of I-90 between Bellevue, Mercer Island, and Seattle does not address today's demands and expected growth in the region; and a new configuration that helps move more people and goods is imperative to manage congestion on what is the busiest east-west corridor in the region; and

WHEREAS, all parties recognize the importance of the environment and thereby seek to preserve and enhance its quality; and

WHEREAS, all parties agree that the ultimate configuration for I-90 between Bellevue, Mercer Island, and Seattle should be defined as High Capacity Transit in the center roadway and HOV lanes in the outer roadways; and further agree that High Capacity Transit for this purpose is defined as a transit system operating in dedicated right-of-way such as light rail, monorail, or a substantially equivalent system; and

WHEREAS, all parties agree to work cooperatively to secure funding at local, regional, state, and federal levels to fully fund both parts of the ultimate configuration of the "I-90 Corridor" (HOV lanes on the outer roadway and High Capacity Transit in the center roadway); and

WHEREAS, all parties have studied many alternatives as participants on the Steering Committee for Sound Transit and the Washington State Department of Transportation's (WSDOT) I-90 Two-Way Transit and HOV Operations Project (Project), and all parties agree that building HOV lanes on the outer roadways as identified as Alternative R-8A as set forth in the April 25, 2003 Draft Environmental Impact Statement (DEIS) prepared for the project, is an essential first step toward achieving the ultimate configuration; and

WHEREAS, all parties acknowledge that the ultimate configuration is consistent with the region's transportation action plan, Destination 2030, which focuses on integrated multi-modal transportation systems; describing facilities that weave parts of the region together by crossing county or city boundaries or access major regional activity centers as critical to the region's transportation system; and specifically calls for safety, maintenance, and capacity investments on I-90 between I-5 and I-405; and high capacity transit in the "I-90 Corridor" between Seattle and Bellevue; and

WHEREAS, all parties agree that I-90 is an integral piece of the regional bike network, providing the only bicycle-pedestrian path across Lake Washington; that the preferred alternative maintains a ten foot bicycle lane as part of providing optimal multi-modal travel in the I-90 corridor for cyclists and pedestrians; and

WHEREAS, the Cities of Bellevue, Mercer Island, and Seattle; King County; Sound Transit, and the Washington State Transportation Commission, as participants of the I-90 Steering Committee, having conducted a thorough evaluation of the performance and benefits of the alternatives, agree that Alternative R-8A has been shown to improve regional mobility by providing reliable and safe two-way transit and high occupancy vehicle operations on I-90 between Bellevue, Mercer Island, and Seattle, and mobility for Mercer Island, while minimizing impacts to the environment, to other users, and to other transportation modes; and is an essential first step toward implementing High Capacity Transit in the I-90 corridor;

NOW THEREFORE BE IT RESOLVED, the parties to this 2004 Amendment agree to the following principles regarding future development of the I-90 Corridor between Seattle and Bellevue:

1. Alternative R-8A with High Capacity Transit deployed in the center lanes is the ultimate configuration for I-90 in this segment;
2. Construction of R-8A should occur as soon as possible as a first step to the ultimate configuration;
3. Upon completion of R-8A, move as quickly as possible to construct High Capacity Transit in the center lanes;
4. Commit to the earliest possible conversion of center roadway to two-way High Capacity Transit operation based on outcome of studies and funding approvals.
5. Minimize construction impacts to the existing bicycle/pedestrian path, and maintain safe access to the path during construction;

6. Maintain the existing width of the bicycle/pedestrian path and to install screen treatments to create a safe barrier between the path users and vehicular traffic; and
7. To the extent of any loss of mobility to and from Mercer Island based on the outcome of studies, additional transit facilities and services such as additional bus service, parking available for Mercer Island residents, and other measures shall be identified and satisfactorily addressed by the Commission, in consultation with the affected jurisdictions pursuant to paragraph 14 of the Agreement, prior to the time the center roadway converts to High Capacity Transit.

King County

By: [Signature]

Its: King County Executive

City of Bellevue

By: Connie Marshall

Its: Mayor

City of Mercer Island

By: [Signature]

Its: Mayor

Washington State
Transportation Commission

By: [Signature]

Its: Chairman

City of Seattle

By: [Signature]

Its: Mayor

Central Puget Sound
Regional Transit Authority

By: Joan M. Earl

Its: Chief Executive Officer



STATE OF WASHINGTON

December 22, 2006

The Honorable Bryan Cairns, Mayor
City of Mercer Island
9611 SE 36th Street
Mercer Island, WA 98040

Dear Mayor Cairns:

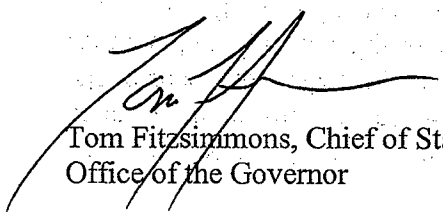
Thank you for your letter of November 13 concerning access for single occupancy vehicles from Mercer Island to the HOV lane on I-90 after conversion of the center roadway to high capacity transit.

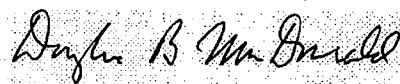
The Governor's Office and the Washington State Department of Transportation intend to honor our understanding of the agreement reached by the signatories regarding Mercer Island access to HOV lanes. We have concluded that when the center roadway is converted to high capacity transit, Mercer Island residents should be permitted HOV lane access until the HOV lanes are converted to high occupancy toll (HOT) lanes or another tolling regimen. It is important to emphasize that we do not know how long the lanes would operate as HOV lanes, and it is possible that those lanes may be operated as tolled lanes from the time of or even before the conversion of the center roadway occurs.

We would also note that other issues apart from Mercer Island considerations are involved in HOV lane access for Mercer Island. An equitable outcome must take into account the reasonable expectations of all the users of the corridor, including users of transit and other high occupancy vehicles who must be assured that the lane meets performance standards. In addition, the access and mobility opportunities provided for Mercer Island residents include new high capacity transit uses of the corridor as well as the private passenger vehicle uses.

Thank you again for your letter. Please let us know if you have additional questions or concerns.

Sincerely,


Tom Fitzsimmons, Chief of Staff
Office of the Governor


Doug MacDonald, Secretary
Washington State Department
of Transportation

